IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4215 OF 2007

1.Abdul Ibrahim Teli & ors. ...Petitioners.

vs.

1.Ismail Abdul Karim Virani & ors. ...Respondents.

Mr.S.P.Thorat, for Petitioners.

CORAM: D.K.DESHMUKH &

DATED: 9th July,2007.

P.C.:-

1. By this petition, the petitioners challenge the order passed by the authority under the Land Revenue Code holding that the entry in revenue record is proper. Admitted position is

that the entry has been taken by the authority on the basis of a registered sale deed. The registered sale deed is binding on the authority. The only authority which can declare a sale deed to be invalid and can cancel the sale deed, is Civil Court. The Revenue authority cannot disregard or refuse to take entry pursuant to sale deed. Therefore, as the entry taken by the revenue authority is on the basis of a registered sale deed and as admittedly there is no decree passed by any competent Civil Court decreeing that the document is invalid and therefore, cancelled that document, that document will be binding.

2. The learned Counsel appearing for petitioners invited my attention to the judgment of the Civil Court in the Civil suit filed by the defendant. By the observations of the Civil Court, a registered sale deed does not get cancelled, unless and until there is a decree

passed by the Civil Court cancelling the registered document. Therefore, I do not see any error in the order passed by the Revenue authority which is challenged in the petition. The petition has no substance, therefore, is disposed of.

(D.K.DESHMUKH, J.)